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FEB 28 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT DURAN,

Defendant.

2:19-CR-031-RFB-NJK

Preliminary Order of Forfeiture

This Court finds Robert Duran pled guilty to Count One of a One-Count Criminal Indictment charging him with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Criminal Indictment, ECF No. 1; Notice of Intent to Plead Guilty, ECF No. 30; Change of Plea, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Amended Memorandum in Support of Guilty Plea and the Criminal Indictment and the offense to which Robert Duran pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1), and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c): a Sig Sauer P320, 9mm pistol bearing serial number 58A114681 (property).

This Court finds that the United States of America may amend this order at any time to add subsequently located property or substitute property to the forfeiture order pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

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1 This Court finds the United States of America is now entitled to, and should, reduce
2 the aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
4 DECREED that the United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
6 rights, ownership rights, and all rights, titles, and interests of Robert Duran in the
7 aforementioned property are forfeited and are vested in the United States of America and
8 shall be safely held by the United States of America until further order of the Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
10 of America shall publish for at least thirty (30) consecutive days on the official internet
11 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
12 describe the forfeited property, state the time under the applicable statute when a petition
13 contesting the forfeiture must be filed, and state the name and contact information for the
14 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
15 and 21 U.S.C. § 853(n)(2).

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
17 or entity who claims an interest in the aforementioned property must file a petition for a
18 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
19 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
20 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
21 right, title, or interest in the forfeited property and any additional facts supporting the
22 petitioner's petition and the relief sought.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
24 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
25 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
26 not sent, no later than sixty (60) days after the first day of the publication on the official
27 internet government forfeiture site, www.forfeiture.gov.

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IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Daniel D. Hollingsworth
Assistant United States Attorney
James A. Blum
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record.

DATED 2/28, 2020.



HONORABLE RICHARD F. BOULWARE II
UNITED STATES DISTRICT JUDGE